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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217-524-1655
217-557-1165 FAX

February 22, 2008

CERTIFIED MAIL:
RETURN RECEIPT REQUESTED
PROMPT REPLY NECESSARY
7002 2030 0001 1873 7368

Bearman Metal Company, Inc.
Attn: Robert W. Bearman; President
3409 E. 5th St.
Austin, TX 78702

Re: Request for Information Pursuant to Section 4(e) of the Illinois Environmental Protection Act, (Act, 415 Illinois Compiled Statutes (ILCS) 5/4(e)) and Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, (CERCLA or Superfund, 42 United States Code (U.S.C.) § 9601, et seq.).

Site: 1198010003 - Madison County
Chemetco Site
ILD 048 843 809
Hartford/Madison County
Superfund/Technical Reports

RELEASABLE

FEB 25 2008

REVIEWER MD

This letter seeks your cooperation in providing information and documents relating to the contamination present at the Chemetco Site owned and formerly operated by Chemetco, Inc. in Hartford, Illinois (Site or Chemetco Site). This site is contaminated with high levels of hazardous substances which may present a threat to human health or the environment.

We encourage you to give this matter your immediate attention and request that you provide a complete and truthful response to this Information Request and attached questions (Attachment B) within 30 days of your receipt of this letter.

The Illinois Environmental Protection Agency (Illinois EPA) is investigating the release or threat of release of hazardous substances, pollutants, or contaminants at the Site. Illinois EPA is seeking to obtain information concerning the generation, storage, treatment, transportation, and methods used to dispose of such substances that have been, or threaten to be, released from the Site. Illinois EPA will study the effects of these substances on the environment and public health. In addition, Illinois EPA will identify activities, materials, and parties that contributed to

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000
ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463
BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800
SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6882 • COLLINSVILLE - 2008 Mall Street, Collinsville, IL 62234 - (618) 346-6120
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

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contamination at the Site. Illinois EPA believes you might have information that may assist in this investigation of the Site.

Illinois EPA has determined that the decades-long practice at the Chemetco Site of receiving smelting and processing scrap metals and other materials impacted the surrounding soils, groundwater, and surface water and created a hazard for area residents and the environment. The Chemetco facility was built in 1969 and began operations in 1970. The site ceased operations on October 31, 2001 and filed for Chapter 7 bankruptcy on November 13, 2001.

During an investigation by Illinois EPA, it was revealed that the sediment samples collected from the tributary of Long Lake and in Long Lake exceed both ecotoxicological benchmarks and meet observed release criteria according to the Hazard Ranking System for cadmium, copper, lead and nickel. These are all metals which are present at significantly elevated levels in the zinc oxide slurry which Chemetco discharged into Long Lake. In December of 2001, Illinois EPA sampled seven areas around the site where stormwater collects. All seven samples exceeded the effluent standards for lead and several of the samples also exceeded the effluent standards for cadmium, copper, zinc and oil. There exists the potential for wind dispersion of hazardous material from the uncontained slag and zinc oxide piles. In 1998, the United States Environmental Protection Agency (USEPA) sampled the fields adjacent to the slag pile and found high levels of lead and cadmium compared to background levels.

In 1988 and 2000, Illinois EPA found levels of dioxins in the east/west cooling water canal above background. In 1981 the Perched Shallow Aquifer beneath Chemetco contained elevated metals concentration and lowered pH levels. Illinois EPA collected groundwater samples in April, 1998, March, 2001 and May, 2002. During all three of these rounds of sampling, contaminant levels exceeded the 35 Illinois Administrative Code 620 Class I Groundwater Quality Standards. The May 2002 data for the Perched Shallow Aquifer exceeded standards for arsenic, boron, cadmium, copper, iron, manganese, nickel, selenium, and zinc. There were also detections of the organic compounds; cis-1,2-dichloroethylene, methyltertiarybutylether, 1,1,2-trichloroethylene, xylene, phenol, 2-chlorophenol, 2-methylphenol, 4-methylphenol, and 2,4,6-trichlorophenol. In the March, 2001 data the groundwater was found to have exceedences of boron, cadmium, copper, iron, lead, manganese, mercury, nickel, selenium, sulfate and zinc.

Description of Legal Authority

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. § 9601, *et seq.*, commonly referred to as "CERCLA" and "Superfund" and Section 22.2(f) of the Illinois Environmental Protection Act, 415 ILCS 5/22(f) gives the Illinois EPA the authority to, among other things: (1) assess contaminated sites, (2) determine the threats to human health and the environment posed by each site, and (3) clean up those sites in the order of the relative threats posed by each.

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Information Request

Pursuant to Section 4(e) of the Illinois Environmental Protection Act, 415 ILCS 5/4(e) and Section 104(e) of CERCLA, 42 U.S.C. § 9604(e), Illinois EPA has broad information gathering authority which allows Illinois EPA to require persons to furnish information and documents relating to:

- (A) The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility.
- (B) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility.
- (C) Information relating to the ability of a person to pay for or to perform a cleanup.

Although the Illinois EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. Please note that false, fictitious, or fraudulent statements or representations may subject you to civil or criminal penalties under state and federal law.

Some of the information the Illinois EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish Illinois EPA to treat the information confidentially, you must advise the Illinois EPA of that fact by following the procedures outlined in Attachment A, including the requirement for supporting your claim for confidentiality.

If you have information about other parties who may have information which may assist the Illinois EPA in its investigation of Chemetco and the Chemetco Site or may be responsible for the contamination at the Site, that information should be submitted within the time frame noted above.

Instructions on how to respond to the questions in Attachment B to this document are described in Attachment A. If you have specific questions regarding the history of the Chemetco Site or the nature of the actions contemplated by the Illinois EPA, please contact Erin J. Rednour, Remedial Project Manager at 217-785-8725. For questions relating to this information request, please contact Michael S. Roubitchek, Assistant Counsel at 217-782-8858. Your response to this

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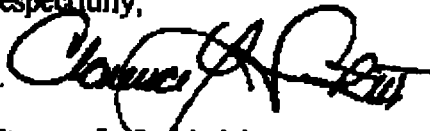
Information Request should be mailed within 30 days of receipt to each of the following addresses:

Erin J. Rednour, Remedial Project Manager
Illinois Environmental Protection Agency
Bureau of Land
Division of Remediation Management
Mailcode 24
Post Office Box 19276
Springfield, Illinois 62794-9276

Techlaw
Attn: Ann Anderson
205 West Wacker Drive
Suite 1622
Chicago, Illinois 60606

We appreciate and look forward to your prompt response to this Information Request.

Respectfully,



Clarence L. Smith, Manager
Federal Site Remediation Section
Division of Remediation Management
Bureau of Land

Enclosures

cc:

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**bcc: Mike Roubitchek
Chris Cahnovsky
Sandra Bron
Terry Ayers
Clarence Smith
BOL File
James Morgan – Illinois Attorney General's Office
Thomas J. Martin –USEPA, Associate Regional Counsel**